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*Humbly addressed to the Reverend the Vice-Chancellor,
the Provost of Queen's, and the Presidents of St.
John's College.*



GENTLEMEN,

THAT very extraordinary Publication, which has lately made its Appearance, entitled, "the Case of James Cochrane," being addressed to you, as Trustees of Mr. Snell's Charity; permit me to make Use of the same Dedication, in an Attempt to expose the Unreasonableness of those illiberal Reflections, with which I have been aspersed in the latter Part of his Pamphlet. It is not my Intention to stand up singly in Defence of the Matters of Fact, with which the College is charged; the Transactions mentioned preceded my Admission into the Society as Fellow; but let not Mr. Cochrane be disappointed, he will find an Enemy more powerful than myself to engage with, and his unaccountable Assurance will by no means escape with Impunity, his seeming Plausibilities will appear to be gross Misrepresentations, and he himself will become the Object of general Contempt and Detestation.—In respect to those Passages relative to myself, no absolute Answer can be given, they consist of mean Insinuations, not direct Charges, are cloathed in too general Terms to admit of a Vindication, and are indeed of too delicate a Nature for me to attempt it.

That you, Gentlemen, and the Public, may see with what little Reason I am singled out as the Object of his Ill-nature and Abuse, suffer me to lay before you the several Circumstances, which were immediately previous, or indeed introductory to the Appointment I received from the Master, of becoming Mr. Cochrane's Tutor; an Honour, which I by no means expected, and am sure was very far from desiring; at the same Time I shall mention the whole Mode of my Proceeding relative to Mr. Cochrane, since that Period, and will appeal to every unprejudiced Person to judge for himself, wherein I have been culpable, or could have acted with Consistency contrary to what I have done.

Last

Last Michaelmas Term, on a slight Altercation between the Reverend Mr. Watkyns and Mr. Cooke, relative to Mr. Cochrane, though wholly different from what is represented in those Papers lately published, Mr. Cooke immediately resigned Mr. Cochrane as his Pupil; in Consequence of this the Master was to exert his Authority, and appoint him another Tutor; he offered him down to each Fellow then present, and all refused the Acceptance of so disagreeable a Charge. I likewise refused it in Turn, but as junior of the Meeting, was prevailed upon by the Master to accept it, not voluntarily, but of Necessity; of this, I believe, every one then present was convinced. Mr. Cochrane was desired to attend the Meeting, and the whole Proceedings of it, so far as related to that Particular, were laid before him, who assented to the Appointment. I must now pay some Attention to that Gentleman, by immediately addressing myself to him. How inconsistent a Part, Sir, have you acted through the whole Proceedings? Did not you, upon making a Request to the College, promise that you would consider yourself as an Under-graduate, and subject to a Tutor? and did not the College, in Consequence of that Consideration, grant you the required Indulgence?

The Request, Gentlemen, which I allude to, was the Liberty of putting on a Civilian's Gown; this was complied with on our Parts, and accepted on his; but as soon as the Dean made a Demand of the customary Fees, how were we surprized to see Mr. Cochrane once more reduced to his Under-graduate Form! I do not intend to lay any Stress upon these Circumstances, I only mention them as Arguments of the Inconsistency of his Conduct, which has been a regular Series of absurd, obstinate, and capricious Irregularities. I must therefore proceed.

Michaelmas Term being far advanced, or indeed nearly concluded, before my Appointment, I omitted citing him to Lecture till this present Term; I then called upon him personally, told him, that as he was perfectly acquainted with the whole Circumstances of the Case, he would excuse me if I desired his immediate Attendance: he answered, that as he had mentioned the Affair to the Vice Chancellor, and it was then under his Consideration, he should give me no determinate Answer; upon this we parted, and I took an Opportunity of waiting upon the Vice Chancellor himself, who assured me he did not apprehend, that he was empowered to take the least Cognizance of the Matter;

Matter : this the Master of Baliol, to whom I mentioned every Circumstance, had hinted to me before, and at whose frequent Importunities, I thought myself authorized to proceed further. I then sent a Note, not to ask as a Favour, but to insist upon his Attendance. Answer was returned, that he was confined to his Room ; this, I confess, gave me some Satisfaction, as it seemed to be a tacit Acknowledgement of my Authority ; but how was I surprized, when upon sending once more, not a long Time after, I was answered, that he would pay no Attention to whatever Message I should send : Upon this I was under a Necessity of having Recourse to College Discipline ; and accordingly gave him, as an Imposition, a Theme upon this Subject, "*Hæ Nugæ seria ducent in Mala*," affixing a Cross to his Name, till it should be finished ; but the *Master-piece* of importunee followed, he returned the Thesis with an absolute Refusal of complying. The Cross still remains, and let me assure him, shall remain, till proper *Academical* Concessions have been made.

These, Gentlemen, are the Circumstances, for which I am said to have adopted the *Airs and Actions of a petty Tyrant*, to be fond of displaying *my fancied Authority*, and liberally to have dealt out *Crosses and Impositions*. For the Truth of these Assertions, taken in a general View, let me Appeal only to the Under-graduates of Baliol, whom I have publicly lectured for some Time. I am persuaded they will become Advocates in my Cause. No one detests Despotism in Authority more than myself, but I must confess, I can never tamely submit to give way in the least Respect to a Being so insignificant as Mr. Cochrane. In Regard to his insolent Advice, it will receive its due Attention—Contempt. I shall still, Sir, venture further, however rashly, upon that *conspicuous Station*, from whence you wish me to retire, and Retreat gradually from, what you call, my *fortunate Obscurity*. The illiberal attacks, which you have made on my Character, cannot, I am confident, prejudice me in the Opinion of my Friends, and thus far I request from the Public, that they will not suffer themselves to be *byass'd* by a Publication, evidently so malicious, unless the Reflections, which it contains, appear to be consistent with the Tenour of that Character, which I have supported for six Years in the University. The Nature of the former Part of the Accusation, if any there be laid to my Charge, is too delicate to permit me to become my own Champion ; I must therefore content myself with having thus referred to the

Public

Public Eye, the Method which I have already taken, and challenge Mr. Cochrane to make whatever Appeal he thinks proper on the Statute *De Qualitate Tutorum*.

Now, Gentlemen, this simple Narrative of Facts, which I have laid down, has, I hope, sufficiently convinced you, that I am by no Means the proper Object of Mr. Cochrane's Resentment; and of this I am persuaded, that had I not acted as I have done, he would have made his Complaint for Neglect of Duty on my Part, a far more important Charge than this of which I am now accused. In fine, the whole of Mr. Cochrane's Behaviour since his Return from the Mediterranean, has been in every Respect wholly irregular and unjustifiable towards the Rulers of Balliol; but let me address him as a Friend, either to retire from these Academical Scenes, or cease from Rebellion, and no longer resist that Discipline, which the University Statutes enact.

I am, Gentlemen,

With the greatest Respect,

Your most obedient Servant,

R. HEIGHWAY.

P. S. There is one Circumstance, Gentlemen, which, though foreign to my Purpose, I cannot avoid mentioning.—Mr. Cochrane asserts, that in Consequence of having studied two Years at Edinburgh, and two Years at Glasgow, he is double my Standing; but let it be observed, that it is customary for Boys to enter at the Scotch Universities at Eleven or Twelve Years of Age, to study the very Rudiments of the Languages; that this was the Case with Mr. Cochrane, is evident from hence; he is not yet One-and-twenty, is of Five Years standing, or nearly, in this University, must consequently have entered at Edinburgh before he was Twelve Years of Age; and after all his long standing in the three Universities, it is very extraordinary that he should have asked the Assistance of an Acquaintance to construe a Line in Horace given him by the Master for a Theme,

Ut tu Fortunam, sic nos te, Celse, feremus.

